

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ZEELAND COMMUNITY HOSPITAL,

Plaintiff,

Case No. 1:06-cv-775

v

Hon. Gordon J. Quist

ASSURITY LIFE INSURANCE COMPANY,
et al,

Defendants.

ORDER

Pending before the court is plaintiff's motion to compel an answer to the complaint, discovery, and various disclosures required by the Case Management Order (docket no. 17). At the hearing held on this motion, the court determined that defendants have failed to file an answer to the complaint, respond to discovery, and provide disclosures required by the Case Management Order, and have also failed to file a response to plaintiff's motion, although defense counsel did appear at the hearing. Accordingly, for the reasons more fully stated on the record at the hearing,

IT IS ORDERED that Plaintiff's motion (docket no. 17) is GRANTED as follows:

- a.. Defendants shall file an answer to Plaintiff's First Amended Complaint no later than the close of business day on **April 16, 2007**;
- b. Defendants shall file full and complete responses without objection or assertion of privilege to Plaintiff's First Set of Requests for Production together with all documents requested within the custody and control of defendants by the close of business on **April 23, 2007**;
- c. Defendants shall name all lay and expert witnesses pursuant to FRCP Rule 26(a) by the close of business on **April 23, 2007**.

IT IS FURTHER ORDERED that in the event the above provisions of this Order are not complied with in full, plaintiff may file an entry of default against defendants accompanied by an Affidavit of Non-Compliance of this Order signed by counsel for the plaintiff;

IT IS FURTHER ORDERED that facilitative mediation shall be held in this matter during the month of **May 2007**;

IT IS FURTHER ORDERED that plaintiff is awarded costs in the amount of \$1,140.00 for time spent in the preparation and attendance at this motion.

Dated: April 12, 2007

/s/ Hugh W. Brenneman, Jr.
Hugh W. Brenneman, Jr.
United States Magistrate Judge